

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
EASTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

GREGORY FUGI ANDERSON, JR.,

Defendant.

No. 18-CR-1001-LRR

ORDER

The matter before the court is United States Chief Magistrate Judge C.J. Williams's¹ Report and Recommendation (docket no. 74), which recommends that the court deny Defendant Gregory Fugi Anderson, Jr.'s "Motion to Withdraw Guilty Plea" ("Motion") (docket no. 65).

On August 9, 2018, Defendant filed the Motion. On the same date, the government filed a Resistance (docket no. 66). On August 27, 2018, Judge Williams held a hearing on the Motion. *See* August 27, 2018 Minute Entry (docket no. 73). Defendant appeared in court with his attorney, John Jacobsen. Assistant United States Attorneys Ashley Corkery and Emily Nydle represented the government. On August 27, 2018, Judge Williams issued the Report and Recommendation. The Report and Recommendation states that "[o]bjections to th[e] Report and Recommendation . . . must be filed within fourteen . . . days of the service of a copy of th[e] Report and Recommendation." Report and Recommendation at 3.


The time to object to the Report and Recommendation has expired and neither party

¹ On September 11, 2018, Judge Williams was elevated to United States District Court Judge.

has filed any objections.² Thus, the parties have waived their right to a de novo review of the Report and Recommendation. *See e.g., United States v. Newton*, 259 F.3d 964, 966 (8th Cir. 2001) (“Appellant’s failure to file any objections waived his right to de novo review by the district court of any portion of the report and recommendation of the magistrate judge as well as his right to appeal from the findings of fact contained therein.” (quoting *Griffini v. Mitchell*, 31 F.3d 690, 692 (8th Cir. 1994))). Upon review, the court finds no plain error in Judge Williams’s decision. Accordingly, the court **ADOPTS** the Report and Recommendation (docket no. 74). The Motion to Withdraw Guilty Plea (docket no. 65) is **DENIED**.

IT IS SO ORDERED.

DATED this 12th day of September, 2018.



LINDA R. READE, JUDGE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF IOWA

² Defendant filed pro se Objection (docket no. 90) to the Report and Recommendation. “A district court is not required ‘to entertain pro se [filings] by a represented party.’” *United States v. Tollefson*, 853 F.3d 481, 485 (8th Cir. 2017) (quoting *Abdullah v. United States*, 240 F.3d 683, 686 (8th Cir. 2001)). Defendant is currently represented by counsel. *See* Order Regarding Appointment of Counsel (docket no. 44). Accordingly, the court shall not consider the pro se Objections.